
United States District Court
District of New Jersey

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**

v. : **Magistrate No. 04-6008**

HERIBERTO SANTOS, a/k/a "Pichon," :
PABLO ROJAS, a/k/a "Alcon,"and
MAURICIO JARAMILLO-CORREA :

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. In or about January 2004, in Passaic County, in the District of New Jersey and elsewhere, defendants did:

SEE ATTACHMENT A

In violation of Title 21, United States Code, Section 846.

I further state that I am a Special Agent of the United States Drug Enforcement Administration and that this complaint is based on the following facts:

SEE ATTACHMENT B

DENNIS ACHESON
Special Agent
Drug Enforcement Administration

Sworn to before me and subscribed in my presence,

January 29, 2004
Date

at

Newark, New Jersey
City and State

Honorable Ronald J. Hedges

United States Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer

ATTACHMENT A

knowingly and intentionally conspire and agree with others to distribute and to possess with intent to distribute more than 5 kilograms of cocaine, a Schedule II narcotic drug controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

ATTACHMENT B

I, Christopher J. Roberts, am a Special Agent with the Drug Enforcement Administration. Based upon my investigation and my discussions with other individuals involved in this investigation, I have knowledge of the following facts:

1. The conversations described below were intercepted pursuant to court orders permitting interception of wire communications. The descriptions of the intercepted conversations set forth below are partial, non-verbatim summaries based on descriptions of the conversations prepared by contract translators. In these descriptions, comments enclosed in parentheses are based upon my knowledge, training, and experience, the knowledge, training, and experience of other law enforcement agents with whom I have spoken, and the results of the investigation to date. The times ascribed to conversations and other events are all approximate.

2. On January 17, 2004, at 2:08 p.m., defendant Pablo Rojas, a/k/a "Alcon," called defendant Heriberto Santos, a/k/a "Pichon," and asked how much defendant Santos had given another individual. Santos said "322" (\$322,000). Rojas asked if it wasn't "372" (\$372,000), and Santos reminded him that he (Santos) had done the calculations and it was "322." Rojas agreed, saying that he remembered that "Mauricio," referring to defendant Mauricio Jaramillo-Correa, had given "324." Rojas suggested that Santos had "555" on hand, and Santos corrected him, saying that he had "553" (\$553,000). (Based upon all of the circumstances, they were discussing \$322,000 in narcotics proceeds that had been delivered and an additional \$553,000 in narcotics proceeds that was ready.)

3. On January 19, 2004, at 12:01 p.m., Rojas called Santos and said that the "offices" agreed on those "2,000" that Rojas was going to send to Santos, that they were going to give it at "19." Rojas said that he had not said anything to Mauricio (referring to defendant Jaramillo-Correa), but the way the market was going "over there" (in the northeast United States) it was going to be difficult to work at "19." (Rojas was saying that unnamed parties had agreed to send 2,000 kilograms of cocaine at \$19,000 each, and that it would be difficult to sell the cocaine at that price.) Santos said that he could not take "it" (the cocaine at that price) right now, adding that all his friends are taking it at "1, 7" (\$17,000 per kilogram) and were giving him problems even at that number. Santos said that he could not accept the work at that number (\$19,000 per kilogram). Rojas said that he knew Santos could not take it at that price, but told Santos not to stress over this because eventually "they" were going to have to get with the program. (Rojas was saying that he was confident that the price to be lowered.)

4. On January 19, 2004, at 6:20 p.m., Rojas called Santos and provided him with a name and telephone number with a 201 area code. Rojas said that he had told Mauricio (referring to defendant Jaramillo-Correa) what Santos said, that the person had to go with enough time. (Rojas was saying that he had told Jaramillo-Correa that Santos wanted to ensure that the money was counted in front of the person who would

receive the next delivery of money.) Santos said that he would speak to him (the recipient of the money) that day so they could meet the next day.

5. On January 19, 2004, at 8:53 p.m., Santos called Rojas in Mexico and said that he had spoken with the guy (probably referring to the person whose name and number Rojas had provided him) and said that he had to come with enough time so that they could count each one. Santos said that tomorrow he would give "him" (the recipient of the money) "553" (\$553,000).

6. On January 20, 2004, at 9:22 p.m., Santos called Rojas and asked him to speak to Mauricio (Jaramillo-Correa) so "the guy" would turn on his phone. (Santos was saying that he had tried to reach the guy who was supposed to receive the money, and the guy had his cellular telephone turned off.

7. On January 21, 2004, at 11:34 a.m., Santos reached the individual who was supposed to receive the money. They agreed to meet at a restaurant in Passaic, New Jersey.

8. On January 21, 2004, at 12:15 p.m., law enforcement officers observed a vehicle park in front of the restaurant in Passaic, New Jersey. At 12:40 p.m., law enforcement officers observed a second vehicle pull up next to the first vehicle. The occupants of the two vehicles spoke, and then both vehicles were driven away in a surveillance-conscious manner. The two vehicles took different routes but ended up together at the same address in Passaic, New Jersey. Both cars drove down a long driveway at the back of the house, and their occupants were out of the sight of the surveilling law enforcement officers.

9. On January 21, 2004, at 1:08 p.m., Santos called Rojas in Mexico and said that everything was confirmed. (Santos was saying that he had delivered the money to the other individual and the amount had been verified.) Rojas told Santos that on the 2nd of February Santos would have a lot of work. (Rojas was probably referring to the 2,000 kilograms of cocaine that he earlier told Santos would be sent to him.) Rojas asked Santos how much "he" (referring to the individual who had received the money) had, and Santos said "553" (\$553,000).

10. On January 21, 2004, at 1:15 p.m., law enforcement officers saw the individual who had received the \$553,000 drive away in his vehicle. They followed him and stopped him in Harrison, New Jersey, for a traffic violation. He consented to a search of the vehicle. The trunk contained a large black suitcase in which was found approximately \$551,800 in cash and a money counter.

11. On January 28, 2004, Mexican law enforcement authorities working with the Drug Enforcement Administration arrested Rojas and seized approximately 2,072 kilograms of cocaine in Mexico.

12. Rojas told law enforcement authorities, in substance and in part, that Jaramillo-Correa was responsible for coordinating the shipment of the cocaine to Rojas in Mexico, and that the cocaine was intended for Santos, who oversaw distribution of cocaine in the United States.

13. Later on January 28, 2004, Santos was arrested. His vehicle was searched and approximately \$95,000 was found in a hidden compartment.

14. In substance and in part, Santos told law enforcement authorities that the money that was seized was payment for a previous delivery of cocaine.